

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA and the STATES
of TENNESSEE, GEORGIA, and LOUISIANA and
the COMMONWEALTH of VIRGINIA *ex rel.*
GREGORY FOLSE,

Plaintiffs,

v.

CARE SERVICES MANAGEMENT LLC, FLEUR
DE LIS MOBILE DENTAL LLC, GEORGIA MO-
BILE DENTAL LLC, and DOES 1-100,

Defendants.

Civil Action No. 3:17-cv-01478
JUDGE TRAUGER

FILED UNDER SEAL

**STATES OF TENNESSEE AND LOUISIANA'S
NOTICE OF ELECTION TO INTERVENE
&
STATE OF GEORGIA AND COMMONWEALTH OF VIRGINIA'S
NOTICE OF ELECTION TO DECLINE TO INTERVENE**

The state of Tennessee hereby notifies the Court, pursuant to Tenn. Code Ann. § 71-5-183(b)(2), of its decision to intervene in part of this action and to decline to intervene in part of this action. On behalf of the state of Louisiana, Tennessee also notifies the Court of Louisiana's decision, pursuant to LSA-R.S. 46:439.1(F), to intervene in part of this action this action and to decline to intervene in part of this action. Tennessee and Louisiana intervene in the allegations against Care Services Management LLC, Marquis Health Systems LLC, and Marquis Mobile Dental Services LLC, and decline to intervene in the allegations against Georgia Mobile Dental LLC, Premier Dentistry of Virginia LLC, and Does 1-50. Tennessee additionally declines to intervene in the allegations against Fleur de Lis Mobile Dental LLC, whereas Louisiana intervenes to pursue the allegations against Fleur de Lis.

On behalf of the state of Georgia, pursuant to O.C.G.A. § 49-4-168.2(c)(4)(B), and the Commonwealth of Virginia, pursuant to Va. Code Ann. § 8.01-216.5(D), Tennessee notifies the Court that those states have decided to decline to intervene in this action. Furthermore, pursuant to Va. Code Ann. § 8.01-216.6(F) and O.C.G.A. § 49-4-168.2(f), Virginia and Georgia request that all pleadings filed in this action be served upon them and that orders issued by the Court be sent to counsel for the states. Virginia and Georgia reserve their rights to order any deposition transcripts and to intervene in this action, for good cause, at a later date. Virginia and Georgia also request that they be served with all notices of appeal.

The United States earlier notified the Court of its decision to decline to intervene, as well. (Docket No. 15).


Tennessee respectfully requests that the Court issue an Order unsealing this case, except the memoranda filed by the United States and Tennessee in support of their motions to extend the intervention periods and partially lift the seal, which Tennessee respectfully asks the Court to keep under seal, as those filings discuss the content, methods, and extent of the governments' investigations and were provided by law to the Court for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended and the seal to be partially lifted. Those documents we are seeking to remain under seal are Docket Numbers 12, 18, 24, 29, and 33.

Finally, Tennessee respectfully requests that it and Louisiana be given 90 days to file a Complaint in Intervention and requests that the relator be given the same amount of time to file an amended complaint.

A proposed order accompanies this notice.

Respectfully submitted,

STATE OF TENNESSEE
HERBERT H. SLATERY III
Attorney General and Reporter

 November 25, 2020

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CERTIFICATE OF MAILING AND/OR DELIVERY

I hereby certify that on November 25, 2020, I caused to be served the States of Tennessee and Louisiana's Notice of Election to Intervene on the following in the following manner:

By Email:

<p>Mark Wildasin Civil Chief United States Attorney's Office Middle District of Tennessee 110 9th Avenue South, Suite A-961 Nashville, Tennessee 37203-3870 (615) 736-5151 Mark.Wildasin@usdoj.gov</p>	<p>Sara E. Vann Assistant Attorney General Medicaid Fraud Division Georgia Department of Law 200 Piedmont Avenue, S.E. West Tower, 19th Floor Atlanta, Georgia 30334 (404) 656-4998 SVann@law.ga.gov</p>
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<p>Erika A. Kelton Luke J. Diamond PHILLIPS & COHEN LLP 2000 Massachusetts Avenue, NW Washington, DC 20036 (202) 833-4567 EKelton@phillipsandcohen.com LDiamond@phillipsandcohen.com</p>	<p>Kimberly M. Bolton Assistant Attorney General Office of the Attorney General Commonwealth of Virginia 202 North Ninth Street (804) 786-2071 Richmond, Virginia 23219 KBolton@oag.state.va.us</p>

All Defendants have not been formally served with copies of the foregoing notice. Defendants have not yet appeared, and all Defendants are not currently represented by counsel. I have served counsel for Care Services Management LLC.


Philip Bangle